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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/757,089	01/13/2004	Robert Haussmann	54317-029201	3534

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EXAMINER

NGUYEN, HUY THANH

ART UNIT	PAPER NUMBER
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2621

MAIL DATE	DELIVERY MODE
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11/01/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/757,089	HAUSSMANN ET AL.	
	Examiner	Art Unit	
	HUY T. NGUYEN	2621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 57-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 57-90 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 07 August 2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Harayama et al (5630006).

Regarding claim 57, Harayama discloses a method of automatically playing the contents of a medium, the method comprising:

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providing a single medium main menu at start up having a pre-determined timeout after display of the menu (column 6,line 55 to column 7,line 15); and proceeding to play the contents of the medium, including a feature presentation, in an uninterrupted sequence after the pre-determined timeout has lapsed without any interaction from a user (column 10,lines 50-55).

Claims 63-67,72-75 and 85-90 are rejected under 35 U.S.C. 102(b) as being anticipated by Hosoi et al (JP02002074913) .

Regarding claims 63 , 72, 85 ,86,89 and 90 , Hosoi further teaches a method medium and a method and medium player for playing back a plurality of the data blocks stored on the medium , the data blocks on the medium can be viewed by playing the medium in the medium player, wherein the plurality of data blocks include a feature presentation, the medium comprising:

first instruction set that instructs the medium player to play the plurality of data blocks of the medium in a pre-determined uninterrupted sequence upon insertion of the medium into the medium player without any interaction from a user (See Abstract, Solution and Fig. 2); and

a second instruction set that instructs the medium player to play the plurality of data blocks of the medium in response to user commands that determine the order for playing the plurality of data blocks of the medium (the user using menu for selecting the playback of the recoded data blocks (Fig. 7) .

Regarding claims 64 and 88, Hosoi teaches the medium of claim 63, wherein the user commands are chosen from a menu by the user (Fig. 7).

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Regarding claims 65,73 and 87, Hosoi teaches the medium the medium is a digital video disc.(See Abstract and Solution)

Regarding claims 66,74 and 88 , Hosoi teaches the medium of claim 63, wherein the medium player is a digital video disc player (See Abstract).

Regarding claim 67, Hosoi teaches the medium of claim 63, wherein the medium player is operable in conjunction with a video display that can display the plurality of data blocks of the medium.

Regarding claims 68 and 75, Hosoi teaches the medium of claim 63, wherein the plurality of data blocks include at least one movie.

3. Claims 63-64 , 72-78 and 85-90 are rejected under 35 U.S.C. 102(b) as being anticipated by DISNEY PIXAR, MONSTER INC. 2001.

Regarding claims 63 ,85 ,86,89 and 90 , PIXAR teaches a method medium and a method and medium player for playing back a plurality of the data blocks stored on the medium , the data blocks on the medium can be viewed by playing the medium in the medium player, wherein the plurality of data blocks include a feature presentation, the medium comprising:

a first instruction set that instructs the medium player to play the plurality of data blocks of the medium in a pre-determined uninterrupted sequence upon insertion of the medium into the medium player without any interaction from a user (Warring and Preview chapter are automatically when the VD is inserted into the DVD player); and a second instruction set that instructs the medium player to play the plurality of data

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blocks of the medium in response to user commands that determine the order for playing the plurality of data blocks of the medium, upon receiving an input from a user, interrupting the playing of the plurality of data blocks of the medium in the pre-determined sequence

(the user using menu for selecting the playback of the recoded data blocks (the menu shows PLY, scene selection sneak peeks or bonus feature . Regarding claims 64 and 88, PIXAR teaches the medium of claim 63, wherein the user commands are chosen from a menu by the user .

Regarding claims 65 and 87, PIXAR teaches the medium of claim 63, wherein the medium is a digital video disc.

Regarding claim 66 and 88 , PIXAR teaches the medium of claim 63, wherein the medium player is a digital video disc player .

Regarding claim 67, PIXAR teaches the medium of claim 63, wherein the medium player is operable in conjunction with a video display that can display the plurality of data blocks of the medium.

Regarding claim 68, PIXAR teaches the medium of claim 63, wherein the plurality of data blocks include at least one movie.

Regarding claim 69, PIXAR further teaches the medium of claim 63, wherein the plurality of data blocks include at least one trailer.

Regarding claim 70, PIXAR teaches wherein the plurality of data blocks include bonus material.

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Regarding claim 71, PIXAR teaches wherein the plurality of data blocks include at least one sneak peak.

Regarding claim 72, DISNEY PIXAR teaches a method of playing a plurality of data blocks of a medium, the method comprising:

automatically playing the plurality of data blocks of the medium in a pre determined sequence Warring and Preview chapter are automatically when the VD is inserted into the DVD layer ;

upon receiving an input from a user, interrupting the playing of the plurality of data blocks of the medium in the pre-determined sequence ;

providing a menu to the user so that the user can select the plurality of data blocks of the medium that the user would like to view (the menu shows PLAY, scene selection, sneak peeks or bonus feature);

playing the plurality of data blocks of the medium that the user has chosen from the menu.

Regarding claim 73, DISNEY PIXAR teaches the medium is a digital video disc.

Regarding claim 74, DISNEY PIXAR teaches the plurality of data blocks of the digital video disc are played using a digital video disc player.

Regarding claims 75 and 76, DISNEY PIXAR teaches the plurality of data blocks include at least one movie and Trailer.

Regarding claim 78, DISNEY PIXAR teaches the plurality of data blocks include at least one sneak peek.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 69,70 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harayama in view of Official Notice .

Regarding claims 69,70 and 71, Harayama does not specifying using trailer, bonus material and sneak peak as the data blocks . However it is noted that using trailer, bonus material or sneak peak as data blocks and arranging ,assembling and editing the trailer, bonus or sneak peak for displaying before or after the main feature data blocks is well known in the art . Therefore Official Notice is taken and it would have been obvious to one of ordinary skill in the art to modify Harayama by providing the data blocks of Harayama with the data blocks of trailer, bonus material or sneak peak as additional data blocks thereby providing more interesting to the user .

6. Claims 69,70 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hosoi in view of Official Notice .

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Regarding claims 69,70 and 71, Hosoi does not specifying using trailer, bonus material and sneak peak as the data blocks . However it is noted that using trailer, bonus material or sneak peak as data blocks and arranging ,assembling and editing the trailer, bonus or sneak peak for displaying before or after the main feature data blocks is well known in the art . Therefore Official Notice id taken and it would have been obvious to one of ordinary skill in the art to modify Hosoi by providing the data blocks of Hosoi with the data blocks of trailer, bonus material or sneak peak as additional data blocks thereby providing more interesting to the user .

7. Claims 79-84 are rejected under 35 U.S.C. 103(a) as being unpatentable over DISNEY PIXAR in view of Hirayama et al (5,630,006).

Regarding claims 79, DINEY PIXAR teaches a method of playing a plurality of data blocks of a medium, the method comprising:

providing a menu to a user at the start up for selecting the plurality of data blocks of the medium to be viewed , the menu further comprising a first menu selection for playing the plurality of data blocks in a predetermined uninterrupted sequence and a second menu selection for a user definable interactive viewing sequence of a subset of the plurality of data blocks .

PIXAR fails to teaches upon not receiving an input within a pre-determined time interval from the user selecting the plurality of data blocks of the medium to be viewed,

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automatically playing the plurality of data blocks of the medium in a pre-determined sequence.

Hirayama teaches an apparatus for playing a plurality of blocks having a control means for providing a menu to the user so that the user can select the blocks of contents of the digital video disc for laying and playing a predetermined sequence when not receiving a user input within a predetermined time interval (column 10).

It would have been obvious to one of ordinary in the art to modify PIXAR with Hirayama by providing a control means as taught by Hirayama with the apparatus of PIXAR for playing a predetermined sequence when not receiving an user input as an alternative method of or playing the contents of the disc.

8. Regarding claim 80 , PIXAR further teaches interrupting the playing of the plurality of data blocks of the medium in the pre-determined sequence upon receiving an input from the user after the pre-determined time interval.

Regarding claim 81, PIXAR further teaches providing a menu to the user so that the user can select either the plurality of data blocks of the medium that the user would like to view or to continue viewing the plurality of data blocks of the medium in the pre-determined sequence.

Regarding claim 82 , PIXAR further teaches playing of the data blocks of the medium in the pre-determined sequence resumes at the point of interruption.

Regarding claim 83, PIXAR teaches playing the plurality of data blocks of the medium that the user has chosen from the menu.

Regarding claim 84, PIXAR teaches resuming the playing of the plurality of data

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blocks that the user has chosen from the menu at the point of interruption if the user interrupts the playing to view the menu.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to HUY T. NGUYEN whose telephone number is (571) 272-7378. The examiner can normally be reached on 8:30AM -6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on (571) 272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

H.N

HUY NGUYEN
PRIMARY EXAMINER